

FILED
JUN 4 1958
DON R. SELLER
Clark Howard Sup

STATE OF INDIANA }
COUNTY OF HOWARD } SS

IN THE HOWARD SUPERIOR COURT
APRIL TERM, 1958
CIVIL CAUSE NO. 9022

DONALD O. RUFF
CLARENCE J. VOTAVA
ARTHUR M. WOOD
Plaintiffs

vs

EDWARD E. GRAVES
MELBA C. GRAVES
Defendants

COMPLAINT TO ENJOIN
MAINTENANCE OF NUISANCE

Plaintiffs complain of the defendants above named and each of them, and complaining say:

1. That plaintiffs are the owners of real estate in the vicinity and neighborhood of defendants lands situated on South Dixon Road in Center Township, Howard County, Indiana.

2. That defendants' real estate is described as follows to-wit:
Part of the Northwest Quarter of Section Two (2), Township Twenty three (23) North, Range Three (3) East, containing Twenty nine (29) and fourteen hundredths (.14) acres and situated in Center Township, Howard County, Indiana.

3. That defendants for many months last past and continuously to the date of this complaint have maintained and operated a dump for the disposal of waste, trash, and refuse.

4. The plaintiffs say that defendants have maintained and do now maintain and operate said dump in an unsanitary manner so as to be a continuing nuisance to the plaintiffs herein.

5. That defendants have caused to be deposited and are now depositing upon the real estate large quantities of refuse, thereby creating a nuisance consisting of huge piles of decomposing and burning and decaying vegetable and animal matters, rubbish, ashes, brush, trash, and other materials; from which noxious vapors, disagreeable and unhealthful odors and smoke are generated and emitted, whereby the air was and is rendered noisome and offensive to the plaintiffs herein.

6. The nuisance complained of is offensive to sight and smell and materially interferes with the health of plaintiffs and their families and interferes with the enjoyment of their property.

WHEREFORE, plaintiffs ask that said nuisance may be ordered abated, and for all other proper relief in the premises.

Donald O. Ruff
Donald O. Ruff

Clarence J. Votava
Clarence J. Votava

Arthur M. Wood
Arthur M. Wood

STATE OF INDIANA }
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VERIFICATION

The undersigned plaintiffs herein after being duly sworn say that the material allegations contained in the foregoing complaint are true as they verily believe.

Donald O. Ruff
Donald O. Ruff

Clarence J. Votava
Clarence J. Votava

Arthur M. Wood
Arthur M. Wood

Subscribed and sworn to before me this 3 day of June, 1958.

Paul I. Hillis
Paul I. Hillis, Notary Public

My commission expires:
13 January, 1962.